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Agenda item 158
Establishment of the International Criminal Court

Draft resolution

Establishment of the International Criminal Court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995, 51/207 of 17 December 1996, 52/160 of 15 December 1997, 53/105 of 8 December 1998, 54/105 of 9 December 1999, 55/155 of 12 December 2000 and 56/85 of 12 December 2001,

Noting that the Rome Statute of the International Criminal Court was adopted on 17 July 1998,[1] and entered into force on 1 July 2002,

Further noting that the Preparatory Commission for the International Criminal Court established in accordance with resolution F of the Final Act of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court held its ninth and tenth sessions from 8 to 19 April and from 1 to 12 July 2002, respectively, and thus successfully completed its mandate in accordance with that resolution,

Recalling the United Nations Millennium Declaration adopted at the Millennium Assembly,[2] in which heads of State and Government stressed the importance of the International Criminal Court,

Reiterating the historic significance of the adoption of the Rome Statute of the International Criminal Court,[1]

1. *Calls upon* all States that are not yet parties to the Rome Statute to consider ratifying it or acceding to it without delay, and encourages efforts aimed at promoting awareness of the results of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from15 June to 17 July 1998, the provisions of the Statute, and the process leading to the establishment of the International Criminal Court;

[1] A/CONF.183/9.
[2] See resolution 55/2.

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2. *Calls upon* all States to consider becoming parties to the Agreement on the Privileges and Immunities of the International Criminal Court without delay;

3. *Welcomes* the important work accomplished by the Preparatory Commission for the International Criminal Court in the completion of its mandate in accordance with resolution F of the Rome Conference;

4. *Also welcomes* the holding of the first session of the Assembly of States Parties to the Rome Statute from 3 to 10 September 2002 and the adoption of a number of important instruments by the Assembly;[1]

5. *Takes note* of the report of the Secretary-General on the establishment of the International Criminal Court,[2] in particular of its paragraphs 12 to 15 indicating the decision of the Assembly of States Parties to resume its first session from 3 to 7 February and from 21 to 23 April 2003, and to hold the meeting of the Budget and Finance Committee from 4 to 8 August 2003 as well as the second session of the Assembly of States Parties from 8 to 12 September 2003, all of which are to be held at United Nations Headquarters;

6. *Recognizes* the need to make available, on a provisional basis, adequate resources and secretariat services for the Assembly of States Parties in order to enable it to discharge its functions efficiently and expeditiously;

7. *Requests the* Secretary-General to undertake the preparations necessary for holding the meetings referred to in paragraph 5 in accordance with the rules of procedure of the Assembly of States Parties to the Rome Statute of the International Criminal Court.

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[1] Rules of procedure and evidence, Elements of crimes, Rules of procedure of the Assembly of States Parties, Financial regulations and rules, Agreement on the privileges and immunities of the International Criminal Court, Basic principles governing a headquarters agreement to be negotiated between the Court and the host country, a draft relationship agreement between the Court and the United Nations, Budget for the first financial period of the Court, resolution on continuity of work in respect of the crime of aggression, resolution on the procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court, resolution on the procedure for election of the judges for the International Criminal Court, resolution on the establishment of the Committee on Budget and Finance, resolution on the procedure for the nomination and election of members of the Committee on Budget and Finance, resolution on the establishment of a fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims, resolution on the procedure for the nomination and election of members of the Board of Directors of the Trust Fund for the benefit of victims, resolution on provisional arrangements for the secretariat of the Assembly of States Parties, resolution on a permanent secretariat of the Assembly of States Parties, resolution on the selection of the staff of the International Criminal Court, resolution on relevant criteria for voluntary contributions to the International Criminal Court, resolution on budget appropriations for the first financial period and financing of appropriations for the first financial period, resolution on Working Capital Fund for the first financial period, resolution on scales of assessments for the apportionment of the expenses of the International Criminal Court, resolution on crediting contributions to the United Nations Trust Fund to Support the Establishment of the International Criminal Court, decision on provision of funds for the Court, decision on interim arrangements for the exercise of authority pending the assumption of office by the Registrar, decision on the participation of the International Criminal Court in the United Nations Joint Staff Pension Fund and decision on seating arrangements for States Parties.

[2] A/57/403.

8. *Also requests* the Secretary-General to make available to those meetings secretariat services for necessary preparatory work as well as for any post-session follow-up actions;

9. *Further requests* the Secretary-General to take steps to expand the mandate of the trust fund established pursuant to General Assembly resolution 51/207 for voluntary contributions towards meeting the costs of participation of the least developed countries in the work of the Assembly of States Parties to the Rome Statute of the International Criminal Court;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution;

11. *Decides* that costs of services rendered to the Assembly of States Parties that may accrue to the United Nations as a result of the implementation of the present resolution shall be paid in advance to the Organization;

12. *Expresses* its appreciation to States that made voluntary contributions to the first session of the Assembly of States Parties in accordance with paragraph 10 of resolution 56/85;

13. *Decides* to include in the provisional agenda of its fifty-eighth session an item entitled "International Criminal Court".